

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

SAMMY L. KNOX,

Plaintiff,

v.

RHETT WALKER,

Defendant.

CV 305-056

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed.¹ Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Defendant's motion for summary judgment (Doc. 42) is **GRANTED**, and this case shall be **CLOSED**.

SO ORDERED this 20th day of February, 2007.


JOHN F. NANGLE
UNITED STATES DISTRICT JUDGE

¹ Plaintiff has also filed a motion for an extension of time to object to the Magistrate Judge's Report and Recommendation. (Doc. 56). The Court recognizes that although Plaintiff's objections were filed with the Court one day after the time-period for filing such objections expired, Plaintiff signed and deposited his objections in the prison mail prior to the expiration of the time-period for filing objections. Therefore, Plaintiff's objections are timely filed, and Plaintiff's motion is **MOOT**. See Vanderberg v. Donaldson, 259 F.3d 1321, 1325 n.4 (11th Cir. 2001) (documents considered "filed" when prisoner delivers them to prison officials for mailing).